

REMARKS

Claims 1-12, 14-21, 35-39, and 49 are pending. Claims 13, 22-34, and 40-48 have been cancelled without prejudice. Applicant reserves the right to prosecute the subject matter of any canceled claim in one or more continuation, continuation-in-part, or divisional applications.

THE RESTRICTION REQUIREMENT

In the Official Action, restriction under 35 U.S.C. §121 is required to one of the following groups of inventions:

- I. Claims 1-12, 14-21, 35-39, and 49, drawn to a monoclonal antibody and fragment thereof, antibody producing hybridoma cell lines, pharmaceutical compositions comprising the antibody;
- II. Claim 13, drawn to an anti-ideotypic antibody;
- III. Claims 22-25, drawn to an antigen;
- IV. Claims 26-29, 40-42, drawn to a method of inhibiting SCLC cells;
- V. Claims 30, 34, 43-48, drawn to a method of detecting SCLC cells in vivo using antibody binding to an antigen; and
- VI. Claims 31-33, drawn to a method of detection of SCLC antigen in vitro.

The Examiner contends that the inventions of Groups I through VI are distinct.

In order to be fully responsive, Applicant hereby elects, with traverse, the invention of Group I, claims 1-12, 14-21, 35-39, and 49, drawn to a monoclonal antibody and fragment thereof, antibody producing hybridoma cell lines, pharmaceutical compositions comprising the antibody, to prosecute in the present application without prejudice to prosecution of the subject matter of the non-elected Groups in subsequent applications.

CONCLUSION

It is believed that the elected claims are in condition for allowance. Early and favorable action by the Examiner is earnestly requested.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 3828-4001US1.

In the event that an extension of time is required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 3828-4001US1.

Respectfully submitted,

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